

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

_____	)	
GTECH CORPORATION,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 04-138-JJF
v.	)	
	)	
SCIENTIFIC GAMES INTERNATIONAL, INC.,	)	
SCIENTIFIC GAMES HOLDINGS	)	
CORPORATION, SCIENTIFIC GAMES	)	
FINANCE CORPORATION, and SCIENTIFIC	)	
GAMES CORPORATION,	)	
	)	
Defendants.	)	
_____	)	

**PROPOSED *VOIR DIRE* QUESTIONS**

Pursuant to D.Del. L.R. 47.1 (a), Plaintiff hereby submits the following proposed *voir dire* for the Court's Consideration.

Good morning, ladies and gentlemen. I am Judge Farnan, and I will be presiding over the trial for which a jury is about to be drawn in the case captioned *GTECH Corporation v. Scientific Games International, Inc., Scientific Games Holdings Corporation, Scientific Games Finance Corporation, and Scientific Games Corporation*, which I will refer to as *GTECH v. Scientific Games*. This case is an action for patent infringement arising under the patent laws of the United States.

In this case, GTECH contends that Scientific Games manufactures, uses, offers to sell, and/or sells within the United States certain instant ticket vending machines which infringe U.S. Patent Nos. 4,982,337 and 5,222,624. Instant ticket vending machines are machine that dispense instant lottery tickets. Scientific Games denies infringement and contends that the patent claims are invalid.

The trial could last up to \_\_\_\_ business days.

In light of this brief summary, I will ask you certain questions, the purpose of which is to: (1) enable the court to determine whether or not any prospective juror should be excused for cause; and (2) enable counsel for the parties to exercise their individual judgment with respect to peremptory challenges, that is, challenges for which no reason need be given by counsel. If any of you answer any question "Yes", please stand up and, upon being recognized by the court, state your juror number. When I have concluded asking all the questions, we will call you to the bench individually to speak with you about your affirmative response or responses.

**HAVE CLERK ADMINISTER THE OATH TO THE PANEL**

**1 Personal Background**

1.1 What is your full name, including maiden name, age, and address?

1.2 Do you have any health problems, such as a visual, hearing or memory impairment, which might affect your ability to serve as a juror in this case?

1.3 This case is expected to take approximately \_\_\_\_\_ weeks. Is there any reason that you will be unable to sit as a juror in this case for that period of time?

**2 Acquaintance with Parties, Attorneys, Witnesses**

2.1 This case is entitled *GTECH Corporation v. Scientific Games International, Inc., Scientific Games Holdings Corporation, Scientific Games Finance Corporation, and Scientific Games Corporation*. Have you learned anything about this case before you came to court today?

2.1.1 If so, please tell me how and what you heard about this case.

2.1.2 Have you formed any opinions about this case?

2.2 I am now going to identify the parties and other companies involved in this case and ask you if you either know of or have ever heard of the following entities, and if you or any member of your family or any close friend ever have had any dealings with any of the parties. In this case, one party is GTECH Corporation.

2.3 As I mentioned a moment ago, the other parties are Scientific Games Corporation, Scientific Games International, Inc., Scientific Games Holdings Corporation and Scientific Games Finance Corporation. You may also hear about some additional companies, they are Interlott Technologies, Inc. and OnPoint Technology, Inc.

2.4 Of all the companies I have just mentioned — GTECH, Scientific Games and its affiliates and subsidiaries, as well as Interlott and OnPoint:

2.4.1 Have you or anyone you know ever applied for a job with these companies?

2.4.2 Do you have opinions, either favorable or unfavorable, about these companies or their products?

2.4.3 Are you personally acquainted with any officer, director or employee of any of these companies?

2.4.4 Are you personally acquainted with, or have you ever worked for, any of these companies?

2.4.4.1 If so, for which company and under what circumstances?

2.4.5 Have you or any member of your family or any close friend ever owned stock in, or invested in, any of these companies? If so, which companies? Do you, or does any family member and/or close friend, still own stock in, or invested in, any of these companies? If so, which companies?

2.4.6 Have you or any member of your family or anyone close to you had any negative experience with any of the products of any of these companies?

2.4.7 Have you or any member of your family or anyone close to you had any positive experience with any of the products of any of these companies?

2.5 I will now read a list of names of persons who may be called to testify in this case: **[List to be supplied before jury selection.]**

2.6 Are you related to, or acquainted with, or otherwise know any of these persons?

2.6.1 If so, how are you related to or acquainted with this person?

2.7 Are you acquainted with trial counsel for plaintiff GTECH or their law firm:

Thomas Meloro  
Douglas Ringel  
Larissa Soccoli

of Kenyon & Kenyon or

Josy W. Ingersoll  
John Shaw  
Karen Keller

of Young, Conaway, Stargatt & Taylor, LLP?

- 2.8 Are you acquainted with trial counsel for defendants, Scientific Games or their law firm:

Jack B. Blumenfeld  
Rodger D. Smith II

of Morris, Nichols, Arsht & Tunnell?

**3 Education**

- 3.1 What is your highest level of education completed?
- 3.1.1 (If college-educated) What did you study in college?
- 3.1.2 (If attended technical school) What did you study?
- 3.2 Have you or has anyone you know ever applied to or attended law school?

**4 Employment**

- 4.1 Are you employed?
- 4.2 What is your occupation?
- 4.3 Who is your employer?
- 4.3.1 How long have you been employed at your present job?
- 4.3.2 What is your position?
- 4.3.3 Does your job require learning or using technical information? Please explain.
- 4.4 Please describe your previous employment (for the last five years).
- 4.5 (If married or has children) What does your spouse/child do?

4.6 Have you or has anyone you know ever worked in a law office?

4.6.1 What type of law firm was it?

4.6.2 What was the nature of the employment in the law firm?

4.7 Have you or has anyone you know ever worked for a company that was involved in a patent lawsuit? If so, what transpired?

## **5 Prior Litigation**

5.1 Have you or has anyone you know ever been involved in any lawsuit, either as a party or a witness?

5.1.1 Was it a criminal or civil proceeding?

5.1.2 What was the nature of the lawsuit?

5.1.3 What was the outcome?

5.1.4. Were you satisfied with the outcome?

5.1.5 Was there anything about that experience that would in any way affect your ability to be fair and impartial as a juror in this case?

5.2 Have you ever testified in a trial or given a deposition?

5.2.1 If so, what type of case?

5.3 Have you ever had to retain an attorney?

5.3.1 For what reason?

5.3.2 Were you satisfied with the services you received?

## **6 Prior Jury Experience**

6.1 Have you ever served as a juror before?

6.1.1 Where?

6.1.2 What was the nature of the case?

6.1.3 Were you the foreperson?

6.1.4 Was a verdict reached in that case? If so, what was it?

6.1.5 Was the case resolved to your satisfaction?

6.2 Is there anything about your experience as a juror, or knowledge of jury duty, which would in any way affect your ability to sit as a juror in this case and give each side a fair and impartial hearing?

## **7 Business Involvement**

7.1 Have you ever owned, operated or participated in running a business?

7.1.1 What business(es)?

7.1.2 What was your role?

7.1.3 What happened to the business?

7.1.4 Was your business ever involved in a lawsuit? If so, what was the nature of the suit and the outcome?

## **8 Specific Background**

8.1 Have you taken any courses in, or do you have any experience in:

8.1.1 accounting?

8.1.2 law (including patent law or any other area of law, paralegal studies, etc.)?

8.1.3 computer graphics?

8.1.4 engineering?

8.2 Do you have any opinions concerning the lottery gaming industry, or any companies in that industry?

8.3 During the course of the trial, you might hear about a number of products from GTECH, such as:

Gamepoint

EDS-Q

8.4 You also might hear about the following Scientific Games products:

PlayCentral Kiosk

8.5 Prior to today, have you ever heard of any of these products?

8.5.1 If so, in what context have you heard of these products?

8.6 Have you ever bought or used any of these products?

8.6.1 If so, under what circumstances?

8.6.2 What was your opinion of that product(s)?

8.6.3 Do you still hold that opinion today? If not, what is your current opinion, and why has it changed?

8.6.4 What was your opinion of the maker of that product(s)?

8.6.5 Do you still hold that same opinion today? If not, what is your current opinion, and why has it changed?

8.7 Have you had any experience with the lottery gaming industry?

8.8 Do you regularly purchase lottery tickets or instant win lottery tickets?

## **9 Patents and Inventions**

9.1 Do you know what a patent is?

9.2 Have you ever seen a patent?

9.2.1 If so, in what context?

9.3 What is your view of the value or lack thereof of a U.S. patent?



9.4 Have you, any member of your immediate family, or anyone close to you ever had any dealings with the United States Patent and Trademark Office?

9.5 Do you have any strong opinions about a patent granting exclusive rights?

9.6 Have you or anyone you know ever applied for a patent?

9.6.1 If so, in what context?

9.7 Have you or has anyone you know ever been involved in a dispute regarding a patent, trademark, copyright, trade secret or invention?

9.7.1 What happened?

9.7.2 Was the resolution to your satisfaction?

9.8 Do you know anyone who works at the United States Patent and Trademark Office?

9.8.1 Who?

9.8.2 What are their duties?

## **10 Experts**

10.1 During this trial, it is very likely that you will hear testimony from expert witnesses. Expert witnesses are people with special knowledge, skill, experience, training, or education that testify in order to assist the jury in understanding the evidence or determining a fact in issue. Do you have any opinion as to the use of expert witnesses in litigation?

10.2 Joseph Perin, Shelia Smith, John Jarosz, Michael Keefe, Brad Myers, and Marion Stewart are going to be called to testify as expert witnesses in this case. Do you know any of these individuals? Have you had any contact with any of these individuals? Have you heard anything about any of these individuals?

**11 Miscellaneous**

11.1 At the end of the case, I will explain to you the law that you must follow in deciding this case. I may also give you instructions as the case goes along that tell you to ignore or disregard certain things that are said in the courtroom. If I gave you an instruction about the law that you disagreed with, would it be difficult for you to set aside your personal views and follow my instructions?

11.2 Do you think you will be able to listen to all the evidence and my instructions, put aside any prejudices, and reach a judgment in this case based solely on the evidence admitted in this courtroom, and the instructions I give you at the end of this case? Will you *pledge* to do so?

11.3 Is there anything you can think of that might affect your ability to be fair to both sides in this case?

11.4 Is there anything you can think of that might affect your ability not to favor one side over the other before all the evidence is presented?

11.5 Is there anything else that I should know about your experience or opinion that might influence your jury service if you become a juror in this case?

11.6 Are you aware of any reasons why you could not give a fair and impartial verdict in this case?

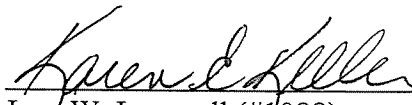
**CERTIFICATE OF SERVICE**

I, Karen E. Keller, hereby certify that on January 13, 2006, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Jack B. Blumenfeld Esquire  
Morris Nichols Arsht & Tunnell  
1201 North Market Street  
Wilmington, DE 19801

I further certify that on January 13, 2006, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record.

YOUNG CONAWAY STARGATT & TAYLOR, LLP



Josy W. Ingersoll (#1088)  
John W. Shaw (#3362)  
Karen E. Keller (#4489)  
Andrew A. Lundgren (#4429)  
The Brandywine Building  
1000 West Street, 17th Floor  
P.O. Box 391  
Wilmington, Delaware 19899-0391  
(302) 571-6600  
kkeller@ycst.com

*Attorneys for GTECH Corporation*